

DEP-REF

#307

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: ) Group Art Unit: 2184

RICHARD W. BUSSE

Serial No.: 09/751,090

Filed: December 29, 2000

Atty. File No.: 4430-22

For: "RECOVERING DATA FROM ARRAYS OF STORAGE DEVICES AFTER CERTAIN FAILURES"

Assistant Commissioner For Patents  
Washington, D.C. 20231

Dear Sir:

This is a request for a refund in connection with the filing of the above-identified U.S. patent

application.

Pursuant to § 1.28, a refund under 37 CFR § 1.26 is appropriate when small entity status is established after payment of a fee as a large entity. To establish small entity status, § 1.27(c) must be complied with. In connection with such compliance, the undersigned, as an attorney registered with the USPTO(§ 1.27(c)(2)(i)) hereby asserts that small entity status is entitled to be asserted on behalf of the assignee (applicant) for this application.

This application was filed on December 29, 2000. Consequently, this request for refund is within three months of payment of the filing fee, as required by § 1.28(a). Hence, a refund in one-half the amount paid to the USPTO is warranted so that the amount of the refund is \$355 (\$710/2).

Adjustment date: 03/27/2001 NVILLARI  
01/04/2001 WABRHAM1 00000080 09751090  
01 FC:101 -710.00 OP

03/27/2001 NVILLARI 00000005 09751090  
01 FC:201 301